



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,389	01/04/2000	Andrew Ramsay Knox	UK9-99-004	9176

25299 7590 03/18/2004

IBM CORPORATION  
PO BOX 12195  
DEPT 9CCA, BLDG 002  
RESEARCH TRIANGLE PARK, NC 27709

EXAMINER

LIN, KENNY S

ART UNIT	PAPER NUMBER
----------	--------------

2154

DATE MAILED: 03/18/2004

19

Please find below and/or attached an Office communication concerning this application or proceeding.

3

# Office Action Summary

Application No.

09/477,389

Applicant(s)

KNOX ET AL.

Examiner

Kenny Lin

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. Claims 1-4 are presented for examination.

**Claim Rejections - 35 USC § 103**

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Connery et al, U.S. Patent Number 6,311,276, in view of Angelo et al, U.S. Patent Number 6,418,533.
4. Connery et al and Angelo et al were cited in the previous office action.
5. As per claim 1, Connery et al taught the invention substantially as claimed including a data processing network (col.4, lines 31-52) comprising:
  - a. A server computer system (col.4, lines 46-49);
  - b. A portable client computer system capable of communicating with said server computer system (col.1, lines 23-27, col.4, lines 31-38, 43-47, col.5, lines 16-18); and
  - c. A control means, connected to said server computer system, for issuing a wake-up request to said portable client computer system via a connection to switch said portable client computer system to a normal operating state from a low-power or off

Art Unit: 2154

state (col.1, lines 23-27, col.3, lines 63-67, col.4, lines 53-60, col.5, lines 26-36), and for issuing a request to said portable client computer system via said connection to disable said portable client computer system (col.1, lines 17-20, col.5, lines 11-26); and

- d. A network adapter, connected to said portable client computer system, for disabling said portable client computer system from further operations in response to said request (col.1, lines 17-20, 28-30, col.5, lines 11-26).

6. Connery et al did not specifically teach that the communication between the server and the client is wireless and the request is issued via a wireless connection. Angelo et al taught a system able to issue requests to said portable client computer system via said connection to disable said portable client computer system (col.3, lines 9-15, col.4, lines 17-28) with a network adapter connected to said portable client computer system, for disabling said portable client computer system from further operations in response to said request (col.3, lines 8-9, 33-37, col.4, lines 28-30, col.5, lines 36-39) using a wireless communication (RF). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Connery et al and Angelo et al and replace the network to wireless connections, such as wireless LAN, to Connery et al's system because Angelo et al's teaching of using wireless connections enable the system to provide remote disabling to wireless devices such as cellular phones (col.5, lines 56-59). Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Connery et al and

Art Unit: 2154

Angelo et al because Angelo et al's teaching of securing portable devices help to secure Connery et al's system and files after the portable device has been lost or stolen (col.3, lines 59-61).

7. As per claim 2, Connery et al and Angelo et al taught the invention substantially as claimed in claim 1. Angelo et al further taught wherein the wireless connection is a satellite data link (col.3, lines 55-57, col.4, lines 24-29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Connery et al and Angelo et al and replace the network to wireless connections, such as wireless LAN, to Connery et al's system because Angelo et al's teaching of using wireless connections enable the system to provide remote disabling to wireless devices such as cellular phones (col.5, lines 56-59).

8. As per claim 4, Connery et al and Angelo et al taught the invention substantially as claimed in claim 1. Connery et al further taught that the wherein the wake-up request includes a Wake-on-LAN frame (col.2, lines 3-6, col.5, lines 26-32).

9. Claim 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Connery et al, U.S. Patent Number 6,311,276, and Angelo et al, U.S. Patent Number 6,418,533, as applied to claims 1-2 and 4 above, and further in view of Spicer, U.S. Patent Number 6,097,760.

10. Spicer was cited in the previous office action.

Art Unit: 2154

11. As per claim 3, Connery et al and Angelo et al taught the invention substantially as claimed in claim 1. They did not specifically teach that the wireless connection is a DECT link. Spicer taught a data communication system using a DECT link as the wireless connection between the controlling system and the client computer system (col.1, lines 51-58, col.2, lines 12-14, 57-63, col.3, lines 61-65). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Connery et al, Angelo et al and Spicer because Spicer's teaching of using DECT link as the wireless connection enables Connery et al and Angelo et al's system for use in a radio in a local loop system.

#### **Response to Arguments**

12. Applicant's arguments filed 1/26/2004 have been fully considered but they are not persuasive.

13. In the remark, applicant argued that Connery does not teach to control means to issue a request to disable said portable client computer system or a network adapter for disabling said portable client computer system from further operations in response to said request.

14. Examiner respectfully traverse the argument:

Examiner admits that Connery does not teach to disable said portable client computer system in the previous cited columns and lines, col.1, lines 28-30, col.6, lines 40-43. However, Connery does teach that the computer system can be disabled (col.1, lines 17-20, col.5, lines 11-26). Furthermore, Angelo taught a system able to issue requests to said portable client computer

Art Unit: 2154

system via said connection to disable said portable client computer system (col.3, lines 9-15, col.4, lines 17-28) with a network adapter connected to said portable client computer system, for disabling said portable client computer system from further operations in response to said request (col.3, lines 8-9, 33-37, col.4, lines 28-30, col.5, lines 36-39) using a wireless communication (RF). In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

### Conclusion

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2154

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (703)305-0438. The examiner can normally be reached on 8 AM to 5 PM Tuesday to Friday and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703)305-8498. Additionally, the fax numbers for Group 2100 are as follows:

Official Responses: (703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-6121.

ksl

March 9, 2004



JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100